

1 The Honorable Robert S. Lasnik  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 STATE OF WASHINGTON; STATE OF  
9 CONNECTICUT; STATE OF MARYLAND;  
STATE OF NEW JERSEY; STATE OF NEW  
YORK; STATE OF OREGON;  
10 COMMONWEALTH OF  
MASSACHUSETTS; COMMONWEALTH  
11 OF PENNSYLVANIA; DISTRICT OF  
COLUMBIA; STATE OF CALIFORNIA;  
STATE OF COLORADO; STATE OF  
DELAWARE; STATE OF HAWAII; STATE  
13 OF ILLINOIS; STATE OF IOWA; STATE  
OF MINNESOTA; STATE OF NORTH  
14 CAROLINA; STATE OF RHODE ISLAND;  
STATE OF VERMONT; and  
15 COMMONWEALTH OF VIRGINIA.

NO. 2:18-cv-01115-RSL

SECOND DECLARATION OF  
JENNIFER D. WILLIAMS IN SUPPORT  
OF PLAINTIFF STATES' MOTION FOR  
SUMMARY JUDGMENT

16 Plaintiffs,

17 v.

18 UNITED STATES DEPARTMENT OF  
STATE; MICHAEL R. POMPEO, in his  
19 official capacity as Secretary of State;  
DIRECTORATE OF DEFENSE TRADE  
CONTROLS; MIKE MILLER, in his official  
20 capacity as Acting Deputy Assistant Secretary  
of Defense Trade Controls; SARAH  
21 HEIDEMA, in her official capacity as Director  
of Policy, Office of Defense Trade Controls  
22 Policy; DEFENSE DISTRIBUTED; SECOND  
AMENDMENT FOUNDATION, INC.; AND  
23 CONN WILLIAMSON,

24 Defendants.

1 I, Jennifer D. Williams, declare as follows:

2 1. I am over the age of 18 and have personal knowledge of all the facts stated herein.

3 2. I am a Paralegal with the Washington State Attorney General's Office, which  
4 represents the State of Washington in this matter.

5 3. I was responsible for coordinating a comprehensive review by attorneys in our  
6 office of the Revised Second Supplement to Administrative Record filed by the Federal  
7 Defendants in this matter (Dkt. # 184). I also reviewed parts of the record. We used document  
8 review software and a tagging system to analyze the record.

9 4. Based on the results of our review, the Revised Second Supplement to the  
10 Administrative Record comprises the following documents, which are labeled with Bates  
11 numbers CWASHAR0000001–2905 and WASHAR0000001–37074:

12 1. Approximately 469 emails to the State Department regarding the planned  
13 deregulation of 3D-printable gun files, of which 466 were opposed, three  
14 were neutral, and none supported the move ([CWASHAR0002348-49  
(rev. suppAR); WASHAR0000915; WASHAR0002369-70; 0003040-41;  
15 WASHAR0036607-37074]);<sup>1</sup>

16 2. 2 letters to the State Department regarding the planned deregulation of  
17 3D-printable gun files, both in opposition (WASHAR0001810-44;  
18 WASHAR0002386-2410).

19 3. Two letters—one from Representative Engel and one from Senator  
20 Menendez—to State Department personnel opposing the Department's  
21 planned deregulation of 3D-printable guns (produced multiple times)  
(CWASHAR0000361-362; CWASHAR0002362-63);

22 4. A letter from senators to Attorney General Jeff Sessions opposing the  
23 *Defense Distributed* settlement agreement to deregulate 3D-printable gun  
24 files (CWASHAR0002364-65);

5. Approximately 155 communications related to the *Defense Distributed*  
settlement, consisting primarily of internal communications related to

23 <sup>1</sup> The Revised Second Supplement includes four sample emails received from visitors to Everytown.org.  
24 WASHAR0037071–74. It also includes a “Summary of Duplicative Materials,” indicating that the Federal  
Defendants received a total of 105,555 of these emails. WASHAR0037069. The States agreed that the 105,555  
emails referenced in this Summary could be incorporated into the administrative record by reference.

implementing the settlement agreement (CWASHAR0000014-19; 0000021-22; 0000028; 0000031; 0000041-53; 0001722-46; 0001749-71; 0002366; 0002368; 0002369-73; 0002376-79; 0002385-91; 0002407-09; and WASHAR0000018-31; 0000033-48; 0000207-10; 0000237; 0000297-319; 0000335-49; 0000351-63; 0000388; 0000569; 0000668-70; 0000685-89; 0001085-87; 0001147-49; 0001659; 0001749-52; 0002020-23; 0002039-48; 0002079-80; 0002091-93; 0002123-27; 0002299; 0002304; 0002468-71; 0002482-84; 0002525; 0002536-40; 0002556-66; 0002574; 0002577; 0002659; 0002768-71; 0002775-76; 0002778; 0002786; 0002789; 0002824-27; 0002832-34; 0002835-36; 0002842-43; 0002912-14; 0002933-55; 0002958-59; 0002971-72; 0002981-82; 0003009-10; 0003025; 0003240-44; 0003419-21; 0003436-38; 0003441-51; 0003465-66; 0003474-76; 0035583; 0035586-90; 0035596; 0035603; 0035613; 0035645-49; 0035659-61; 0035667-72; 0035685-87; 0035690-92; 0035715; 0035734; 0035777-78; 0035798-800; 0035868-71; 0035897; 0035904-06; 0035969; 0036040; 0036052-54; 0036079-87; 0036148-50; 0036154-62; 0036186-87; 0036216; 0036237-41; 0036370-73; 0036558-71; 0036584-90);

6. Approximately 44 pleadings from the *Defense Distributed* lawsuit (WASHAR0000001-7; 0000059-128; 0000320-34; 0000372-77; 0000390-557; 0000570-72; 0000596-650; 0000690-704; 0001660-74; 0001753-67; 0002155-224; 0002305-06; 0002541-55; 0003152-206; 0003208-21);
7. Approximately 298 press clippings, newsletters, media alerts, and the like (CWASHAR0000054-369; 0000363-411; 0000415-590; 0000615-1208; 0001214-1721; 0001747-48; 0001772-2121; 0002147-2327; 0002343-47; 0002350-54; 0002357-61 and WASHAR0000055-58; 0000147-51; 0000232-36; 0000364; 0000367-70; 0000666-67; 0001112; 0001171-72; 0001688-1703 (rev. suppAR 0001691-703); 0001790-95; 0001804-09; 0002136-54; 0002243-92; 0002294-98; 0002315-20; 0002358-59; 0002371-74; 0002473-78; 0002570-71 (rev. suppAR); 0002583-2658; 0002660-65; 0002767; 0002772-74; 0002790-94; 0002803; 0002817-21; 0002897-911; 0003012-21; 0003028-31; 0003068-75; 0003119-51; 0003247-418; 0003439-40; 0003452-64; 0003467-83; 0035610; 0035626-28; 0035632-40; 0035654-58; 0035673-74; 0035680-84; 00035688-89; 0035696-99; 0035712-14; 0035717-19; 0035740-55; 0035759-61; 0035773-76; 0035779-97; 0035801-67; 0035872-74; 0035898-903; 0035907-68; 0035970-36031; 0036044-51; 0036055-78; 0036088-89; 0036095-36147; 0036163-71; 0036178-85; 0036188-90; 0036195-36211; 0036214-15; 0036228; 0036247-68; 0036271-77; 0036280-302; 0036305-23; 0036327-69; 0036374-91; 0036397-449; 0036451-55; 0036463-503; 0036506-27; 0036532-56; 0036572-83; 0036600-03); and
8. Approximately 267 miscellaneous documents.

5. The Federal Defendants' record certifications and privilege logs indicate that they

1 withheld approximately 3,246 documents. These include multiple copies of drafts of the  
2 proposed State Department and Commerce Department rules that were published as NPRMs in  
3 March 2018 and internal State Department communications.

4 6. According to the Declaration of Michael F. Miller filed by the Federal  
5 Defendants, the State Department received 3,250 comments on their NPRM. Dkt. # 179-2 at ¶ 3.  
6 To date, they have only produced approximately 3,191 of those comments in this litigation.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 DATED this 24th day of May, 2019.

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10 JENNIFER D. WILLIAMS

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